

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

LC2015-000177-001 DT

06/08/2015

THE HON. CRANE MCCLENNEN

CLERK OF THE COURT

J. Eaton

Deputy

STATE OF ARIZONA

SETH W PETERSON

v.

LAWRENCE PHILIP LIKE (001)

NATALEE SEGAL

REMAND DESK-LCA-CCC  
SCOTTSDALE MUNICIPAL COURT

RECORD APPEAL RULING / REMAND

**Lower Court Case No. CR2014-013017.**

Defendant-Appellant Lawrence Philip Like (Defendant) was convicted in Scottsdale Municipal Court of criminal damage and disorderly conduct. Defendant contends the State did not present sufficient evidence to support the convictions. For the reasons stated below, this Court affirms the judgment and sentence imposed.

**I. FACTUAL BACKGROUND.**

On June 1, 2014, Defendant was charged with violating A.R.S. § 13-1602(A)(1) (criminal damage—defacing or damaging property of another person), and 13-2904(A)(1) (disorderly conduct—engaging in fighting, violent or seriously disruptive behavior). The charges were the result of Defendant throwing rocks at an apartment sliding glass door; an apartment Defendant mistakenly believed to be his girlfriend's. On December 17, 2014, the trial court held a bench trial. Based on the evidence presented, the trial court found Defendant guilty. The trial court ordered Defendant to pay fines and surcharges. On December 24, 2014, Defendant filed a timely notice of appeal. This Court has jurisdiction pursuant to ARIZONA CONS. Art. 6, § 16, and A.R.S. § 12-124(A).

**II. ISSUES.**

*A. Did the State present sufficient evidence Defendant was guilty.*

Defendant contends the State did not present sufficient evidence to support his convictions. In addressing the issue of the sufficiency of the evidence, the Arizona Supreme Court has said the following:

We review a sufficiency of the evidence claim by determining “whether substantial evidence supports the jury’s finding, viewing the facts in the light most favorable to sustaining the jury verdict.” Substantial evidence is proof that “reasonable persons could accept as adequate . . . to support a conclusion of defendant’s guilt beyond a reasonable doubt.” We resolve any conflicting evidence “in favor of sustaining the verdict.”

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*State v. Bearup*, 221 Ariz. 163, 211 P.3d 684, ¶ 16 (2009) (citations omitted). When considering whether a verdict is contrary to the evidence, this court does not consider whether it would reach the same conclusion as the trier-of-fact, but whether there is “a complete absence of probative facts to support its conclusion.” *State v. Mauro*, 159 Ariz. 186, 206, 766 P.2d 59, 79 (1988). In the present matter, this Court concludes there is not “a complete absence of probative facts to support its conclusion.” Based on the testimony below, this Court concludes the State presented sufficient evidence to support the trial court’s finding that Defendant violated A.R.S. § 13–1602(A)(1) and 13–2904(A)(1).

*B. Defendant’s Reply and the State’s Motion To Strike Reply.*

On April 19, 2015, Defendant’s counsel filed a Reply with this Court. The State filed a Motion To Strike Reply. Rule 8(a)(2), SUPERIOR COURT RULES OF APPELLATE PROCEDURE —CRIMINAL, provides in part: “No reply memorandum shall be filed unless authorized by the Superior Court.” This Court did not authorize Defendant’s counsel to file a reply memorandum and as a result the Court did not consider Defendant’s Reply. In the future, if Defendant’s counsel would like to file a reply memorandum, she must first receive authorization from this Court to do so.

III. CONCLUSION.

Based on the foregoing, this Court concludes that the State presented sufficient evidence for the trial court to conclude that Defendant was guilty of violating A.R.S. § 13–1602(A)(1) and 13–2904(A)(1).

**IT IS THEREFORE ORDERED** affirming the judgment and sentence of the Scottsdale Municipal Court.

**IT IS FURTHER ORDERED** remanding this matter to the Scottsdale Municipal Court for all further appropriate proceedings.

**IT IS FURTHER ORDERED** signing this minute entry as a formal Order of the Court.

/s/ Crane McClennen  
THE HON. CRANE MCCLENNEN  
JUDGE OF THE SUPERIOR COURT

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